



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

August 22, 1995

Ms. Caryn Geller
Human Resources Director
Bexar Appraisal District
P.O. Box 830248
San Antonio, Texas 78283-0248

OR95-817

Dear Ms. Geller:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 34010.

The Bexar County Appraisal District (the "district") received an open records request for copies of all of the evaluations and the results of the Position Profile Questionnaires (PPQs) of all of the Information Systems Department Employees that were administered in 1992. You contend that the requested information constitutes "test items" which are excepted from required public disclosure by section 552.122 of the Government Code. You have submitted for our review a copy of a PPQ, that has not been completed by an employee.

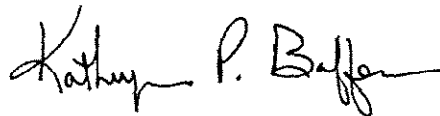
In Open Records Decision No. 626 (1994), this office determined that the term "test item" in section 552.122 "includes any standard means by which an individual's or group's knowledge or ability in a particular area is evaluated." Open Records Decision No. 626 (1994) at 6. Whether information falls within the section 552.122 exception must be determined on a case-by-case basis. *Id.*

You advise us that this questionnaire was developed to determine the salary grade assignments of all positions within the district by reviewing employees' responses to questions covering their knowledge and background, decision making, planning and allocating, organization control and communication. You state that the questionnaire is administered each time a new position is created or substantially changed with regard to duties and responsibilities. The stated purpose of the questionnaire is to gather facts about the duties and responsibilities of each employee's job rather than to evaluate the employee's job performance.

After reviewing the PPQ, we conclude that the questions asked by the PPQ provide an overall picture of the duties and responsibilities each employee sees as a part of his or her job. The PPQ information provides the district with a job survey. The information gives the district a detailed description of each job position rather than being a test that measures an individual's or group's knowledge or ability in a particular area. Consequently, the requested PPQ information may not be withheld from required public disclosure pursuant to section 552.122 and must be released.

We are resolving this matter with this informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and may not be relied upon as a previous determination under section 552.301 regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink, appearing to read "Kathryn P. Baffes". The signature is fluid and cursive, with the first name "Kathryn" being more prominent.

Kathryn P. Baffes
Assistant Attorney General
Open Government Section

KPB/KHG/rho

Ref: ID# 34010

Enclosures: Submitted documents

cc: Mr. Jeff Johnson
Bexar Appraisal District
P.O.Box 830248
San Antonio, Texas 78283-0248
(w/o enclosures)